

**BUSINESS REPORT**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**SENATE JUDICIARY COMMITTEE**

**Date:** Monday, March 16, 2009  
**Place:** Capitol

**Time:** 10:00 am  
**Room:** 303

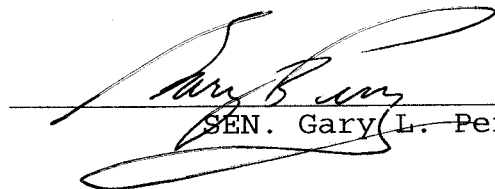
**BILLS and RESOLUTIONS HEARD:**

None

**EXECUTIVE ACTION TAKEN:**

HB 55-Be Concurred In, HB 102-Tabled, HB 133-Be Concurred In As Amended, HB 150-Be Concurred In As Amended, HB 372-Be Concurred In, HB 490-Tabled

**COMMENTS:**

  
\_\_\_\_\_  
SEN. Gary L. Perry, Chairman

**MONTANA STATE SENATE**  
**Roll Call**  
**JUDICIARY COMMITTEE**

DATE: 3/16/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	/	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	/	
SENATOR AUBYN CURTISS	/	
SENATOR JOHN ESP	/	
SENATOR GREG HINKLE	/	
SENATOR LARRY JENT		/
SENATOR CAROL JUNEAU	/	
SENATOR CLIFF LARSEN		/
SENATOR JESSE LASLOVICH	/	
SENATOR DANIEL MCGEE	/	
SENATOR LYNDA MOSS	/	
SENATOR TERRY MURPHY	/	



## SENATE STANDING COMMITTEE REPORT


March 16, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 372** (third reading copy -- blue) **be concurred in.**

Signed:

  
Senator Gary L. Perry, Chair

To be carried by Senator Lynda Moss

- END -

**Committee Vote:**

**Yes 11, No 1**

Fiscal Note Required ☐

HB0372001SC03870.sdr

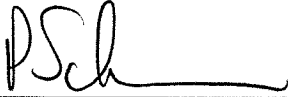
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## COMMITTEE FILE COPY

### TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED **HB 102**, by motion, on **Monday, March 16, 2009**.



(For the Committee)



(Secretary of the Senate)

12:15 / 3/16

(Time)

(Date)

March 16, 2009

Pamela E. Schindler, Secretary

Phone: 444-4891

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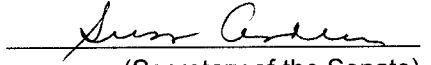
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**COMMITTEE FILE COPY**

**TABLED BILL**

The **SENATE JUDICIARY COMMITTEE** TABLED **HB 490**, by motion, on **Monday, March 16, 2009**.

  
(For the Committee)

  
(Secretary of the Senate)

12:15 / 3/16  
(Time) (Date)

March 16, 2009

Pamela E. Schindler, Secretary

Phone: 444-4891

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## SENATE STANDING COMMITTEE REPORT

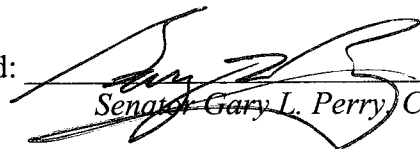
March 16, 2009

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 55** (third reading copy -- blue) be concurred in as amended.

Signed:

  
Senator Gary L. Perry, Chair

To be carried by Senator Greg Hinkle

And, that such amendments read:

1. Title, line 6.

**Following:** "OFFENDER;"

**Insert:** "REQUIRING NOTIFICATION TO SCHOOL DISTRICTS;"

2. Page 1, line 27.

**Following:** "subsection"

**Strike:** "(5)"

**Insert:** "(6)"

3. Page 2, line 21 through line 25.

**Following:** "offender" on line 21

**Insert:** ", "

**Strike:** remainder of line 21 through "(II)" on line 25

4. Page 2, line 26.

**Following:** "BY THE"

**Insert:** "youth court or the"

5. Page 3, line 2.

**Following:** line 1

**Insert:** "(3) For a youth designated under this section and 46-23-509 as a level 3 offender, the youth court if the youth is under the youth court's jurisdiction or the department if the youth is under the department's jurisdiction shall

**Committee Vote:**

Yes 9, No 3

Fiscal Note Required \_\_

notify in writing the superintendent of the school district in which the youth is enrolled of the adjudication, any terms of probation or parole, and the facts of the offense for which the youth was adjudicated, except the name of the victim, and provide a copy of the court's disposition order to the superintendent."

**Renumber:** subsequent subsections

- END -



## SENATE STANDING COMMITTEE REPORT

March 16, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 133** (third reading copy -- blue)  
**be concurred in as amended.**

Signed: \_\_\_\_\_

*Senator Gary L. Perry, Chair*

To be carried by Senator John Esp

**And, that such amendments read:**

1. Title, line 8.

**Following:** "40-5-601,"

**Strike:** "40-5-821,"

2. Page 10, line 7 through line 16.

**Strike:** section 6 in its entirety

**Renumber:** subsequent sections

- END -

**Committee Vote:**

**Yes 8, No 4**

Fiscal Note Required \_\_\_\_

HB0133001SC02650.sdr

*dk*





## SENATE STANDING COMMITTEE REPORT

March 16, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 150** (third reading copy -- blue) **be concurred in as amended.**

Signed: \_\_\_\_\_

*Senator Gary L. Perry, Chair*

To be carried by Senator Gary Perry

**And, that such amendments read:**

1. Page 2, line 16.

**Following:** "any"

**Strike:** "commonly understood"

2. Page 3, line 5 through line 6.

**Following:** "providers" on line 5

**Strike:** remainder of line 5 through "entity" on line 6

3. Page 3, line 12.

**Following:** "in"

**Strike:** "23-2-733 through 23-2-736"

**Insert:** "Title 23, chapter 2, part 7"

- END -

**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required ☐

HB0150001SC02653.sdr

*JP*

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09

BILL NO. HB372 MOTION NO. 1

MOTION: \_\_\_\_\_

Reconcurred

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS	<input checked="" type="checkbox"/>		
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>		
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP	<input checked="" type="checkbox"/>		
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>		
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>		
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>		

1111

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09 BILL NO HB102 MOTION NO. 1  
MOTION: \_\_\_\_\_

Be Concurred In

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS		<input checked="" type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR TERRY MURPHY		<input checked="" type="checkbox"/>	
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP		<input checked="" type="checkbox"/>	
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR		<input checked="" type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN		<input checked="" type="checkbox"/>	

5/7

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09 BILL NO HB490 MOTION NO. 2

MOTION: \_\_\_\_\_

Sub Motion - TO TABLE

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	/		
SENATOR JESSE LASLOVICH		/	
SENATOR AUBYN CURTISS	/		
SENATOR LARRY JENT		/	
SENATOR TERRY MURPHY	/		
SENATOR LYNDA MOSS		/	
SENATOR JOHN ESP	/		
SENATOR CLIFF LARSEN		/	
SENATOR CAROL JUNEAU		/	
SENATOR GREG HINKLE	/		
SENATOR JIM SHOCKLEY, VICE CHAIR	/		
SENATOR GARY PERRY, CHAIRMAN	/		

7/5

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09 BILL NO. <sup>133</sup>~~HB 800~~ MOTION NO. 2  
MOTION: \_\_\_\_\_

BE AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<u>—</u>		
SENATOR JESSE LASLOVICH		<u>—</u>	
SENATOR AUBYN CURTISS	<u>—</u>		
SENATOR LARRY JENT		<u>—</u>	<u>—</u>
SENATOR TERRY MURPHY	<u>—</u>		
SENATOR LYNDIA MOSS		<u>—</u>	
SENATOR JOHN ESP	<u>—</u>		
SENATOR CLIFF LARSEN		<u>—</u>	
SENATOR CAROL JUNEAU		<u>—</u>	
SENATOR GREG HINKLE	<u>—</u>		
SENATOR JIM SHOCKLEY, VICE CHAIR	<u>—</u>		
SENATOR GARY PERRY, CHAIRMAN	<u>—</u>		

7/5

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09 BILL NO. HB133 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

*Reconciled Into Amendments*

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS		<input checked="" type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>		
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP	<input checked="" type="checkbox"/>		
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR		<input checked="" type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>		

814

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09 BILL NO HB 1509 MOTION NO. 2  
 MOTION: \_\_\_\_\_

*Be amended*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	—		
SENATOR JESSE LASLOVICH		—	
SENATOR AUBYN CURTISS	—		
SENATOR LARRY JENT		—	—
SENATOR TERRY MURPHY	—		
SENATOR LYNDA MOSS		—	
SENATOR JOHN ESP	—		
SENATOR CLIFF LARSEN		—	
SENATOR CAROL JUNEAU		—	
SENATOR GREG HINKLE	—		
SENATOR JIM SHOCKLEY, VICE CHAIR	—		
SENATOR GARY PERRY, CHAIRMAN	—		

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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/16/09 BILL NO HB 150 MOTION NO. 4  
MOTION: \_\_\_\_\_

Be Concurred In As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	—		
SENATOR JESSE LASLOVICH		—	
SENATOR AUBYN CURTISS	—		
SENATOR LARRY JENT		—	—
SENATOR TERRY MURPHY	—		
SENATOR LYNDIA MOSS		—	
SENATOR JOHN ESP	—		
SENATOR CLIFF LARSEN	—		
SENATOR CAROL JUNEAU		—	
SENATOR GREG HINKLE	—		
SENATOR JIM SHOCKLEY, VICE CHAIR		—	
SENATOR GARY PERRY, CHAIRMAN	—		

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# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee  
because of other commitments. I desire to leave my proxy vote with:

Senator Jesse Laslovich

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

3/16/09

HB372 concurs	✓	
HB102 concurs	✓	
HB 102 Don ITABLE		✓
HB490 SUBTABLE		✓
HB 55 amend	✓	
HB 55 concurs as amended	✓	
HB 133 amend		✓
HB 133 concurs as amended	✓	
HB 150 amend		✓
Perry HB 150 concept amend	✓	
HB 150 concurs as amended		✓


sen. \_\_\_\_\_

Larry J  
(Signature)

Date \_\_\_\_\_

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

BILL/AMENDMENT

AYE

NO

1/16/09	SB 169 Do Pass	✓	
	SB 160 Do Pass	✓	
	SB 96 amend	✓	
	SB 96 Do Pass (amend)	✓	
	SB 182	✓	
3/4/09	HB 205 Be carried in	✓	
3/16/09	—		
	HB 372 Be carried	✓	
	<del>HB 102</del>		


Sen.

Cliff Larsen  
(Signature)

Date 1-5-09